

अन्नानक नाहीशा आलेल्या व ठावठिकाणा माहीत नसलेल्या
प्रारंभीग कांगनारी/निवृत्तिवेतनधारक योच्या कुटुंबियांना
कुटुंब निवृत्तिवेतन आणि उपदान मंजूर करण्याबाबत.

महागढ़ शासन

वित्त विभाग

शासन निर्णय अमांक भेनिवे-१०८९/१०१/गवा-१
मंत्रालय भुवई १०० ०३२, दिनांक ५ जून १९९१

शासन निर्णय

अन्नानक नाहीशा आलेल्या व ठावठिकाणा माहीत नगलेल्या शासकीय कर्मचाऱ्याच्या कुटुंबातील पात्र व्यक्तींना कुटुंब निवृत्तिवेतन मंजूर करण्याची वृतीची प्रकरणे शासनाकडे पाठविली जातात. गृह्या शासनाकडून अणा प्रकरणांवर गृह्यवत्तेनुमार विचार केला जातो. साधारणपणे शासकीय कर्मचारी नाहीशा आलेल्याच्या दिनांकापासून गात वर्षाचा कालावधी उलटल्याणिवाय तो मृत्यू पावला आहे असे समजता येत नसल्याने त्याच्या कुटुंबियाला कुटुंब निवृत्तिवेतनविप्रवक्त लाभ देता येत नाहीत. हे तरु तो इंडियन एव्हिहॅइन्स अंकटच्या काळम १०८ वर आधारित अमृत त्या कलमाच्या तर्गुदीनुमार जेव्हा एकादा वेपत्ता इसम जिवंत आहे का मृत्यू पावला आहे असा प्रश्न निर्माण होतो व तो जर जिवंत असता तर त्याच्यावडलची माहिती सहजगत्या ज्या व्यक्तीला अवगत झाली असती अगा व्यक्तीला सात वर्षपर्यंत त्याच्यावडल काहीचे ऐकिवात आले नाही तर तो जिवंत आहे हे सिद्ध करण्याची जवाबदारी जी व्यक्ती, तो जिवंत आहे असे शापथागूर्वक प्रतिपादन घारते तिची राहते.

२. वेपत्ता झालेल्या शासकीय कर्मचाऱ्याच्या कुटुंबाला देय असलेले फायदे रांगुन धरण्याने अवाजवी त्रास होत असल्या-मुळे हा प्रश्न शासनाच्या काही काळापासून विचाराधीन होता. शासन आता अमा निरेंग देत आहे की, जेव्हा शासकीय कर्मचारी त्याच्या कुटुंबाला सोडून नाहीसा होतो त्या वेळी त्याच्या कुटुंबाला खालील प्रदाने करण्यात यावीत :—

(एक) सर्वप्रथम: देय असलेले वेतन, देय असलेल्या रजेन्टे रोम्बीकरण आणि शासकीय कर्मचाऱ्याने केलेले नामनिर्देशन लक्षात घेऊन भविष्यनिर्वाह निधीची रक्कम,

(दोन) एक वर्षाच्या कालावधीनंतर—

(अ) अनुज्ञेय असेल त्याप्रमाणे सर्वसाधारण/वाढीव दराने कुटुंब निवृत्तिवेतन,

(ब) जर कर्मचारी सेवानिवृत्त झाला असता तर त्याला जेवढी सेवानिवृत्त उपदानाची रक्कम मिळाली असती तेवढी मृत्यू उपदानाची रक्कम,

(तीन) संवंधित शासकीय कर्मचाऱ्याना गृह्य झाला आहे हे निर्णयात गीतीने शिद्ध झाल्यानंतर निवा कर्मचारी नाहीसा आलेल्याच्या दिनांकापासून सात वर्षानंतर, गृह्य उपदान व निवानिवृत्त उपदान यांमधील फरकाची रक्कम।

३. शासकीय कर्मचारी नाहीसा होण्याचा शिंगांक हा पोलीग प्राधिकाऱ्यात हे ज्या दिनांकाला प्रथम स्वरी अद्भात (एफ.आय.आर.) नोंदविला असेल त्या दिनांकापासून धरण्यात येईल आणि निवृत्तिवेतन थाणि उपदानाची रक्कम मंजूर करण्याचा (एफ.आय.आर.) साठी एक वर्षाच्या कालावधीदेखील त्याचे दिनांकापासून गणण्यात येईल. ज्या प्रकरणी प्रथम लवरी अहवाल (एफ.आय.आर.) हे आदेश निर्याप्रित होण्यापूर्वीच्या दिनांकाला नोंदविला अर्गेल आणि जेवे एक वार्षिक वालावधी अगोदरच पूर्ण झालेला आहे त्या हे आदेश निर्याप्रित होण्यापूर्वीच्या दिनांकापासून भंजूर करण्यात येतील. प्रकरणी कुटुंब निवृत्तिवेतन, उपदान या सारखे फायदे, हे आदेश निर्याप्रित झाल्याच्या दिनांकापासून भंजूर करण्यात येतील.

४. कुटुंब निवृत्तिवेतन/उपदान हे, शासकीय कर्मचाऱ्याच्या गृह्यातील निवृत्तिवेतन दिनांक होणा (प्राधिकृत रजेन्टे नामनिर्देशन/उपदान या गृह्य असलेल्या आदेश/नियमानुसार कालावधी धरून) त्याने घेतलेल्या वेतनाप्रमाण ठरविण्यात आहे. त्याचे गृह्य असलेल्या आदेश/नियमानुसार नियमित करण्यात येईल.

५. वर नमूद केलेले लाभ मंत्रालयीन प्रशासकीय विभागाकडून झालील अटीचा अधीन राहून मंजूर केले जातील :—

(१) कुटुंबियांनी संवंधित पोलीसा ठाण्यावर तवार नोंदवून शासकीय कर्मचाऱ्याचा पोलिसांनी सर्व प्रकारे शोध घेऊनही त्याचा ठावठिकाणा लागत नाही अणा प्रकारचा पोलीसा असलाल प्राप्त केलेला असला पाहिजे.

(२) शासकीय कर्मचाऱ्याने नामनिर्देशित नोंदवून त्याचा गृह्य उपदान या शासन निर्णयासोबत जोडलेल्या “नाहीशा आलेल्या शासकीय कर्मचाऱ्याच्या संवंधात निवृत्त फेल्हा” नमूदात (इमजी) धातिपूर्ती बंधपत्र घेण्यात यावे.

६. कार्यालय प्रमुख हा शासकीय कर्मचाऱ्याकडून शासनाला येणे असलेल्या गक्कांचे निधीरण काढत गहारपट्टे सेवा (निवृत्तिवेतन) नियम, १९८२ मधील नियम १३२ अनुसार व शासनाला येणे असलेल्या गक्कांच्या वगूलीवावत अमले असलेल्या इतर सूचनांनुसार शासनाला येणे असलेल्या रातमांची वगूली करील.

७. पोलीग प्राधिकाऱ्याचे ज्या दिनांकाचा प्रथम मायणी अहवाल (पा.आ.आ.आ.) नोंदविला असेल त्या दिनांकापासून एक वर्षानंतर, कुटुंबाने शासकीय कर्मचाऱ्याच्या कार्यालय प्रमुखाकडे कुटुंब निवृत्तिवेतन आणि निवृत्ति उपदान मंजूर करण्यासाठी विहित केलेल्या कांगाळनीनुसार कुटुंब निवृत्तिवेतन आणि उपदान प्रदानाराठी अर्ज करावा. जर निवृत्ति उपदानाने संवितरण अर्ज केल्याच्या दिनांकापासून तीन महिन्यांच्या आत आले नाही तर त्यात लागू असलेल्या दरांप्रमाणे व्याज देण्यात येईल आणि विलंबावावत जवाबदारी निश्चित करण्यात येईल.

८. सर्वसाधारण भविष्यनिर्वाह निधी नियमावलीच्या नियम १३(४) (अ) अनुसार सर्वसाधारण भविष्यनिर्वाह निधीच्या शिल्लक क्रमेवर गेवानिवृत्तीच्या दिनांकानंतर विहित मृत्युच्या दिनांकानंतर व्याज दिले जाते. नाहीशा झालेल्या शासकीय कर्मचाऱ्यांच्या प्रकरणी, नियम १३(४) (बी) क्या तरतुदीनुसार ज्या महिन्यात शासकीय कर्मचारी नाहीशा शाला आहे असे पोलीस प्राधिकाऱ्याने कल्याणे अभेद त्या गहिन्याच्या लगतनंतरच्या महिन्यापासून उपरोक्त नियमात नमूद केलेल्या पढूतीने व कालावधीपर्यंत व्याज देण्यात येईल.

९. हे आदेश योग्य त्या फेरफारागह, अचानक नाहीशा झालेल्या, ठावऱिकाणा माहीत नसलेल्या निवृत्तिवेतनधारकांच्या प्रकरणीही लागू राहील. अशा प्रकरणी निवृत्तिवेतन प्रदान आदेशामध्ये (पी.पी.ओ.) नमूद केलेल्या दरांप्रमाणे कुटुंब निवृत्तिवेतन प्रदेश राहील आणि ते संवधित कार्यालय प्रमुखाकडून प्राधिकृत केले जाईल. जेथे निवृत्तिवेतन प्रदान आदेशामध्ये ही माहिती उपलब्ध नसेल तेथे कार्यालय प्रमुख वर परिच्छेद २ (दोन) मध्ये नमूद केल्याप्रमाणे देय असाऱ्येकूटुंब निवृत्तिवेतन मंजूर करण्याची आवश्यकता नी कार्यवाही करील. निवृत्तिवेतनधारकांच्या कुटुंबातील पात्र अवक्तीनुसार या शासन निर्णयासाठेत जोडलेल्या "नाहीशा झा. त्या निवृत्तिवेतनधारकांच्या गवंधान विहित केलेल्या" नामांतर (इंग्रजी) शौतापूर्ती घंघपत्र भेण्यात गावे.

१०. जेथे कुटुंब निवृत्तिवेतन १ जानेवारी १९८६ पूर्वीच्या दराने मंजूर केलेके असेल तेथे ते १ जानेवारी १९८६ पासून शासन निर्णय, वित्त विभाग, ग्रामांक वंशाची-१०८७/८२६/रोड-१०, दिनांक १० ऑगस्ट १९८७ प्रमाणे सुधारून एकत्रित केले जाईल.

११. हे आदेश ते निर्गमित झाल्याच्या दिनांकपासून अंगलात येतील. जी प्रकरणे या शासन निर्णयागधील तरतुदीलेरीज अन्य रीतीने निकालात काढलेली असतील, तेथे लाभार्थीना फायदेशीर असल्याखेरीज अशा प्रकरणाचे पुनर्विलोकन करण्यात येऊ नये.

१२. हे आदेश सर्व संवधितांच्या नजरेस आणावेत.

१३. हे आदेश सामान्य प्रशासन विभागाच्या सहमतीने त्या विभागाच्या अनौपचारिक संदर्भ क्रमांक ३५६/१३-अ, दिनांक १५ मार्च १९९१ अन्वये निर्गमित करण्यात आले आहेत.

१४. या आदेशाची इंग्रजी प्रत सांवत जोडली आहे.

महाराष्ट्राचे राजगपाल यांच्या आदेशानुसार व नावाने,

अ. ना. कुलकर्णी
झासनाचे उप सचिव.

महालेखापाल (लेखा व अनुज्ञयता)-१, महाराष्ट्र, मुंबई,
 महालेखापाल (लेखा व अनुज्ञयता)-२, महाराष्ट्र, नागपूर,
 महालेखापाल (लेखा परीक्षा)-१, महाराष्ट्र, मुंबई,
 महालेखापाल (लेखा परीक्षा)-२, महाराष्ट्र नागपूर,
 संसाक्षण, लेखा व कागामारे, मुंबई,
 अधिदाता व लेखा अधिकारी, मुंबई,
 निवारी लेखा परीक्षा अधिकारी, मुंबई,
 राज्यपालचे गविच,
 ग्रन्थमंदिराचे गविच,
 गवं मंत्री व राज्यमंत्री यांचे वाजरीं गविच,
 मंत्रालयातील सर्व विभाग,
 गर्व विभागीय अधिकारी,
 मंत्रालयाच्या सर्व विभागांचीला विभाग प्रमुख, कार्यालय प्रमुख,
 *प्रवंधक, मूळ न्याय शास्त्रा, उच्च न्यायालय, मुंबई,
 *प्रवंधक, अर्हाल शास्त्रा, उच्च न्यायालय, मुंबई,
 *मन्त्री, महाराष्ट्र लोकसभा आयोग, मुंबई,
 *मन्त्री, महाराष्ट्र विधानसंघ गविचालय, मुंबई,
 *प्रवंधक, लोग आयुक्त व उत्तराधिकारी, आयुक्त यांचे नागरिक्य, मुंबई,
 मुख्य लेखा परीक्षक, सूतीनिह निर्दी लेखा, कांकण भवन, वार्षा, नवी मुंबई,
 उप मुख्य लेखा परीक्षक, न्यानिक निर्दी लेखा, मुंबई/पुणे/नागपूर/श्रीरामगढ/नाशिक/आगामती,
 गवं जिल्हा कांपागार अधिकारी,
 विषेष आयुक्त, महाराष्ट्र सरकार, कोणतिकस रोड, नवी दिल्ली,
 जनसंघक अधिकारी, मंत्रालय, मुंबई,
 सर्व जिल्हा परिषदाचे मुख्य कार्यकारी अधिकारी,
 संच, लक, नगरानिका प्रशासन, मुंबई,
 वित्त विभागातील सर्व कार्यालये,
 निवड फाईल, कार्यालय मेवा-८,

*पत्राहारे.

१९९१ चा क्रमांक

*Grant of Family Pension and Gratuity to the
Families of Government servants/Pensioners who
disappear suddenly and whose whereabouts are
not known.*

GOVERNMENT OF MAHARASHTRA

FINANCE DEPARTMENT

Resolution No. PEN. 1089/491/SER-4

Mantralaya, Bombay 400 032

Dated the 5th July 1991

RESOLUTION

A number of cases are referred to Government for grant of family pension to the eligible family members of Government servants who have suddenly disappeared and whose whereabouts are not known. At present all such cases are considered on merits by Government. In the normal course, unless a period of seven years has elapsed since the date of disappearance of the Government servant, he cannot be presumed as dead and the retirement benefits cannot be paid to the family. This principle is based on Section 108 of the Indian Evidence Act which provides that when the question is whether the absconded man is alive or dead and it is proved that he has not been heard of for seven years by those who could naturally have heard of him if he had been alive, the burden of proving that he is alive is shifted to the person who affirms it.

2. The matter has been under consideration of the Government for sometime, as withholding of the benefits due to the family has been causing a great deal of hardship to the family of absconded Government servant. Government is now pleased to decide that when a Government servant disappears leaving his family, the family can be paid,—

(i) In the first instance, the amount of salary due, leave encashment due and the amount of General Provident Fund, having regard to the nomination made by the Government servant:

(ii) After the elapse of a period of one year,—

(a) family pension at normal/enhanced rates as may be admissible,

(b) death gratuity not exceeding the amount which would have been payable as retirement gratuity if the person had retired.

(iii) After the death is conclusively established or on the expiry of seven years from the date of missing, the difference between the retirement gratuity and death gratuity.

3. The date of disappearance of the Government servant will be reckoned from the date the First Information Report (FIR) is lodged with the police authorities and the period of one year after which the benefits of family pension and gratuity are to be sanctioned will also be reckoned from this date. In cases where the FIR was lodged prior to issue of these orders, and where the period of one year has already been elapsed, the benefits like family pension, gratuity will be sanctioned from the date of issue of these orders.

4. Family pension/gratuity will be based on and regulated by the Pay drawn by the Government servant and the rules/orders applicable to him as on the last day he/she was on duty, including authorised periods of leave.

5. The abovementioned benefits will be sanctioned by the Administrative Department, the Mantralaya after observing the following formalities :

- (i) The family must lodge a report with the concerned police station and obtain police report that the Government servant has not been traced after all efforts have been made by the police;
- (ii) An Indemnity Bond should be obtained from the nominee(s)/dependent(s) of the Government servant in the format applicable in case of missing Government servant, enclosed with this Resolution.

6. The Head of Office will assess all Government dues outstanding against the Government servant and effect the recovery in accordance with Rule 132 of the Maharashtra Civil Services (Pension) Rules, 1982 and other instructions in force for effecting recovery of Government dues.

7. The family can apply to the Head the Office of the Government servant for grant of family pension and gratuity, after one year from the date the FIR is lodged with the police authorities in accordance with the prescribed procedure for sanction of family pension and retirement gratuity. In case, the disbursement of retirement gratuity is not effected within three months of the date of application, interest shall be paid at the rates applicable and responsibility for the delay fixed.

8. Interest on balance of General Provident Fund after the date of retirement or date of death is allowed as per Rule 13(4) (a) of the General Provident Fund Rules. In case of missing Government servant, interest shall be paid as per Rule 13(4) (b) from the month after the month in which Government servant disappeared as reported by the police, in its report, upto the period and in the manner specified in the said Rule.

9. These orders will also be applicable, *mutatis mutandis* in the case of pensioners who suddenly disappeared and whose whereabouts are not known. In such cases, the family pension at the rates indicated in the Pension Payment Order (PPO) will be payable and may be authorised by the Head of Office concerned. Where the Pension Payment Order does not contain this information, the Head of Office will take necessary action to sanction family pension as due, as provided in para 2(ii) above. An Indemnity Bond should be obtained from the eligible family members of the pensioner in the format applicable in case of missing pensioner, enclosed with this Resolution.

10. Family pension where sanctioned at pre 1st January 1986 rates will be revised and consolidated with effect from 1st January 1986 in terms of Government Resolution, Finance Department No. PCR-1087/426/SER-10, dated the 19th August, 1987.

11. These orders take effect from the date of issue. Cases already settled otherwise in accordance with this Resolution need not be re-opened, unless such a re-opening will be to the advantage of the beneficiaries.

12. These orders should be brought to the notice of all concerned.

13. These orders are issued in consultation with the General Administration Department vide its u.o.r. No. 356/XIII-A, dated 15th March, 1991.

By order and in the name of the Governor of Maharashtra.

A. N. KULKARNI,
Deputy Secretary to Government

[शासन निर्णय, वित्त विभाग, क्रमांक सेन्टिके १०८९/८९७/सेवा-४ दिनांक ५ जुलै १९६७ ची गहवत्र]

INDEMNITY BOND/शतिष्ठी नंधपत्र

(नाहीशा ज्ञालेल्या शासकीय कर्मजात्याच्या संवधात)

(Applicable in case of missing Government Servant)

KNOW ALL MEN by these presents that we (a) (b)
 the wife/son/brother/nominee etc. of (c) who was holding the
 post of in the Deptt./Office of is reported
 to have been missing since (hereinafter referred to as 'missing
 Government servant') resident of (hereinafter called "the obligor"
 and (d) son/wife/daughter of Shri
 resident of and son/wife/
 daughter of resident of
 the sureties for and on behalf of the Obligor (hereinafter called "the Sureties") are held firmly bound to the Governor
 of Maharashtra (hereinafter called "the Government") in the sum of Rs. (in words)
 equivalent of the amount on account of payment of salary, leave encashment, G. P. F. Retirement/Death
 Gratuity and each and every sum being the monthly family pension well and truly to be paid to the Government on
 demand and without a demur together with simple interest @ per cent p. a. from the date of
 payment thereof until repayment for which payment we bind ourselves and our respective heirs, executors, administrators,
 legal representatives, successors and assigns by these presents.

Signed this day of one thousand nine
 hundred and

WHEREAS (c) was at the time of his disappearance in the employment
 of the Government receiving a pay at the rate of Rs. (in words)
 only per month from the Government.

AND WHEREAS the said (c) disappeared on the
 day of 19 and
 there was due to him at the time of his disappearance the sum equivalent of (i) salary due/(ii) leave encashment (iii)
 G. P. F. and (iv) Retirement/Death Gratuity.

AND WHEREAS the obligor is entitled to family pension at Rs. (Rupees
 only) plus admissible dearness relief thereon.

AND WHEREAS the Obligor has represented that he/she is entitled to the aforesaid sum and approached the
 Government for making payment thereof to avoid undue delay and hardship.

AND WHEREAS the Government has agreed to make payment of the said sum of Rs.
 (in words) and monthly family pension Rs. @ (in words) only and relief thereon to the
 Obligor upon the Obligor and the Sureties entering into a Bond in the above mentioned sum to indemnify the Govern-
 ment against all claims to the amount so due to the aforesaid missing Government servant.

AND WHEREAS the Obligor and at his/her request the Surety/Sureties have agreed to execute the Bond in the
 terms and manner hereinafter contained.

NOW THE CONDITION OF THIS BOND IS SUCH that if after payment has been made to the Obligor, the
 Obligor and/or the Surety/Sureties shall in the event of a claim being made, by any other person or the missing employee
 on appearance, against the Government with respect to the aforesaid sum of Rs. (in words) and
 the sums paid by the Government as monthly pension and relief as aforesaid then refund to the Government the said
 sum of Rs. (in words) and each and every sum paid by Government as monthly pension
 and relief together with simple interest @ per annum and shall, otherwise, indemnify and keep
 the Government harmless and indemnified against and from all liabilities in respect of the aforesaid sums and all cost
 incurred in consequence of the claim thereto then the above written Bond or obligation shall be void and of no effect
 but otherwise it shall remain in full force, effect and virtue.

AND THESE PRESENS ALSO WITNESS that the liability of the Surety/Sureties hereunder shall not be impaired or discharged by reason of time being granted by or any forbearance act or omission of the Government whether with or without the knowledge or consent of the Surety/Sureties in respect of or in relation to the obligation, or conditions to be performed or discharged by the Obligor or by any other method or thing whatsoever which under the law relating to sureties would but for this provision shall have no effect of so releasing the Surety/Sureties from such liability nor shall it be necessary for the Government to sue the Obligor before suing the Surety/Sureties or either of them for the amount due hereunder, and the Government agrees to bear the stamp duty, if any, chargeable on these presents.

IN WITNESS WHEREOF the Obligor and the Surety/Sureties hereto have set and subscribed their respective hands hereunto on the day, month and year above written.

Signed by the above named ' Obligor ' in the presence of

1

2

Signed by the above named ' Surety/Sureties '

1

2

Accepted for and on behalf of the Governor of Maharashtra by.....
.....(Name and designation of the Officer directed or authorised, in pursuance of, Article 299(1) of the Constitution, to accept the Bond for and on behalf of the Governor) in the presence of
.....

(Name and designation of witness)

Note I.—(a) Full name of the claimant referred to as the ' Obligor '.

(b) State relationship of the ' Obligor ' to the missing Government servant.

(c) Name of the ' missing Government servant '.

(d) Full name or names of the Sureties with name or names of the father (s)/husband (s) and place of residence.

Note II.—The Obligor as well as the Sureties should have attained majority so that the bond may have legal effect or force.

Note III.—The rate of simple interest will be as prescribed by the Government from time to time. It is 6 per cent p.a. on the date of issue of the Government Resolution.

[ग्रामन निर्णय, वित्त विभाग, क्रमांक सेतिवे १०/१३/४०७/मेवा-४ दिनांक ५ जूले १९२७ दी गहावे]

INDEMNITY BOND/क्षतिपूर्ती बंधव

(नाहीशा ज्ञालेला निवृत्तिवेतनघारकांचा संवंभात)
[Applicable in case of missing Pensioner]

KNOW ALL MEN by these presents that we (a) (b) the widow/son/brother/nominee etc. of (c) who had retired from the post of in the Department/Office of and who was in receipt of pension from is reported to have been missing since (hereinafter referred to as 'missing pensioner') resident of (hereinafter called "the Obligor" and (d) son/wife/daughter of Shri resident of and son/wife/daughter of resident of the sureties for and on behalf of the Obligor (hereinafter called "the Sureties") are held firmly bound to the Governor of Maharashtra (hereinafter called "the Government") in each and every sum being the arrears of pension and monthly family pension and relief thereon well and truly to be paid to the Government on demand and without a demur together with simple interest at the rate of % per annum from the date of payment until repayment for which payment we bind ourselves and our respective heirs, executors administrators, legal representatives, successors and assigns by these presents.

Signed this day of one thousand nine hundred and

WHEREAS (c) was at the time of his disappearance, a State Government pensions receiving a pension at the rate of Rs. (in words) only per month and relief thereon from the Government.

AND WHEREAS the said (c) disappeared on the day of 19..... and there was due to him at the time of his disappearance the sum equivalent of arrears of pension due.

AND WHEREAS the Obligor is entitled to family pension at Rs. (Rupees only) plus admissible doarness relief thereon.

AND WHEREAS the Obligor has represented that he/she is entitled to the aforesaid sum and approached the Government for making payment thereof to avoid undue delay and hardship.

AND WHEREAS the Government has agreed to make payment of the said sum of Rs. (in words) and the monthly family pension at Rs. (in words) plus relief thereon to the Obligor upon the Obligor and the Sureties entering into a Bond in the above mentioned sum to indemnify the Government against all claims to the amount so due to the aforesaid missing Government pensioner.

AND WHEREAS the Obligor and at his/her request the Surety/Sureties have agreed to execute the Bond in the terms and manner hereinafter contained.

NOW THE CONDITION OF THIS BOND is such that if after payment has been made to the Obligor, the Obligor and/or the Surety/Sureties shall in the event of a claim being made, by any other person or the missing pensioner on appearance, against the Government with respect to the aforesaid sum of Rs. (in words) and the sums paid by the Government as monthly family pension and relief as aforesaid then refund to the Government the said sum of Rs. (in words) and each and every sum paid by Government as monthly family pension and relief together with simple interest @ % per annum and shall otherwise, indemnify and keep the Government harmless and indemnified against and from all liabilities in respect of the aforesaid sums and all costs incurred in consequence of the claim thereto THEN the above written Bond or obligation shall be void and of no effect but otherwise it shall remain in full force, effect and virtue.

AND THESE PRESENTS ALSO WITNESS that the liability of the Surety/Sureties hereunder shall not be impaired or discharged by reason or time being granted by or any forbearance act or omission of the Government whether with or without the knowledge or consent of the Surety/Sureties in respect of or in relation to the obligations or

conditions to be performed or discharged by the Obligor or by any other method or thing whatsoever which under the law relating to sureties would but for this provision shall have no effect of so releasing the Surety/Sureties from such liability nor shall it be necessary for the Government to sue the Obligor before suing the Surety/Sureties or either of them for the amount due hereunder, and the Government agrees to bear the stamp duty, if any, chargeable on these presents.

IN WITNESS WHEREOF the Obligor and the Surety/Sureties hereto have set and subscribed their respective hands hereunto on the day, month and year above written.

Signed by the above named ' Obligor ' in the presence of :-

(1)

(2)

Signed by the above named ' Surety/Sureties ':-

(1)

(2)

Accepted for and on behalf of the Governor of Maharashtra by

(Name and designation of the Officer directed or authorised, in pursuance of, Article 299 (1) of the Constitution, to accept the bond for and on behalf of the Governor)
in the presence of (Name and designation of witness)

Note I (a) Full name of the claimant referred to as the ' Obligor '.

(b) State relationship of the ' Obligor ' to the ' missing pensioner '.

(c) Name of the ' missing pensioner '.

(d) Full name or names of the Sureties with name or names of the father(s)/husband(s) and place of residence.

Note II The Obligor as well as the Sureties should have attained majority so that the bond may have legal effect or force.

Note III The rate of simple interest will be as prescribed by the Government from time to time. It is 6% per annum on the date of issue of the Government Resolution.